

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DOBSON MILLS APARTMENTS, L.P., :
ET AL. :

v. :

CITY OF PHILADELPHIA et al :

CIVIL ACTION NO. 21-cv-273

ORDER

This 16th day of September, 2021, following a status conference with counsel, it is hereby **ORDERED** as follows:

- 1) The **STAY** of deadlines imposed by this Court's Order of August 13, 2021 is **LIFTED** and the Clerk is requested to mark this case as active.
- 2) Plaintiffs' Motion for leave to File a Second Amended Complaint, ECF 19, is **GRANTED**.
- 3) Defendants' Motion for Judgment on the Pleadings, ECF 18, is **DENIED** as moot. If Defendants seek to file a similar motion with respect to the Second Amended Complaint, they may incorporate by reference the content of the pending motion and separately address any new issues raised by the Second Amended Complaint. Plaintiffs may respond in kind.
- 4) Plaintiffs' Motion for Summary Judgment, ECF 28, is **DENIED** without prejudice to resubmission following further development of the factual record.
- 5) All factual discovery shall be completed by December 6, 2021, and Defendants' request to hold discovery in abeyance pending resolution of any motion for judgment on the pleadings is **DENIED**.

- 6) Plaintiffs' Motion to Compel Compliance with subpoenas, ECF 16, and Defendants' corresponding Motion for Protective Order, ECF 20, are both **GRANTED** in part and **DENIED** in part as follows: Attorney Andrew Ross is not required to appear for deposition as such testimony would be protected by the attorney-client privilege; former Mayor and City Council person Michael Nutter shall appear for deposition, provided, however, that this Order does not operate to waive any privilege that may be raised at his deposition.

/s/ Gerald Austin McHugh
United States District Judge